

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BILLY R. WILLIAMS,)
)
 Plaintiff,)
)
 v.) Civil No. 03-239 - E
)
 PENNSYLVANIA STATE POLICE, AN)
 AGENCY OF THE COMMONWEALTH)
 OF PENNSYLVANIA,)
)
 Defendant.)

ORDER

AND NOW, to-wit, this 15th day of March, 2007, for the reasons stated in the accompanying Opinion filed contemporaneously herewith, it is hereby ORDERED, ADJUDGED and DECREED THAT:

1. Defendants' Motion for Summary Judgment (Doc. 12 at C.A. No. 03-239 Erie) is hereby DENIED as to Count I.
2. Defendants' Motion for Summary Judgment (Doc. 12 at C.A. No. 03-239 Erie) is hereby DENIED AS MOOT as to Count II. Judgment is hereby entered in favor of the defendant as to Count II of the Complaint, the plaintiff having voluntarily withdrawn this claim.
3. The status conference scheduled for March 19, 2007 is hereby cancelled.

4. Plaintiff's pretrial narrative statement shall comply with Local Rule 16.1.4A and be filed on or before May 4, 2007. Counsel shall specify the material facts including damages to be proved at trial. Proof of material facts not specified may be excluded at trial upon objection or by the Court *sua sponte*.

5. Defendant's pretrial narrative statement shall comply with Local Rule 16.1.4B and be filed on or before May 25, 2007. Counsel shall specify the material facts to be proved at trial. Proof of material facts not specified may be excluded at trial upon objection or by the Court *sua sponte*.

6. The Court shall schedule a pretrial conference on August 7, 2007, at 10:00 a.m. in Erie, Pennsylvania.

Maurice B. Cohill, Jr.
Maurice B. Cohill, Jr.
Senior United States District Court Judge

cc: Counsel of record